United Nations A/AC.254/18

General Assembly

Distr.: General
9 September 1999

Original: English

Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime
Fifth session
Vienna, 4-15 October 1999

Annotated provisional agenda and proposed organization of work

Provisional agenda

1. Opening of the fifth session of the Ad Hoc Committee.
2. Adoption of the agenda and organization of work.
3. Consideration of the draft United Nations Convention against Transnational Organized Crime, with particular emphasis on articles 4, 4 *bis*, 7, 7 *bis*, 7 *ter*, 10, 14 (paragraphs 14-22) and 15-19.
4. Consideration of the additional international legal instrument against illicit manufacturing of and trafficking in firearms, their parts and components and ammunition.
5. Adoption of the report of the Ad Hoc Committee on its fifth session.

Annotations

1. Opening of the fifth session of the Ad Hoc Committee

The fifth session of the Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime will be convened on Monday, 4 October 1999, at 10 a.m.

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2. Adoption of the agenda and organization of work

The Ad Hoc Committee, at its fourth session, held in Vienna from 28 June to 9 July 1999, decided that at its fifth session it would focus on articles 4, 4 *bis*, 7, 7 *bis*, 7 *ter*, 10, 14 (paragraphs 14-22) and 15-19, dealing with money-laundering, confiscation, extradition, mutual legal assistance, special investigative techniques, transfer of proceedings, establishment of criminal record, protection of witnesses and victims, and law enforcement cooperation. The Ad Hoc Committee, also at its fourth session, decided that it would defer to its fifth session its consideration of paragraphs 14-22 of article 14, on mutual legal assistance, and its consideration of article 10, on extradition, since there was insufficient time during the fourth session to consider those provisions of the draft United Nations Convention against Transnational Organized Crime. The Ad Hoc Committee also decided to devote three days at its fifth session to the consideration of the draft text of the additional international legal instrument against illicit manufacturing of and trafficking in firearms, their parts and components and ammunition. In addition, the Ad Hoc Committee at its fourth session approved the provisional agenda and proposed organization of work for its fifth session (A/AC.254/L.53 and Add.1).

The resources available to the Ad Hoc Committee at its fifth session will permit the holding of two plenary meetings per day with simultaneous interpretation in the six official languages of the United Nations.

The Ad Hoc Committee, at its fourth session, decided that in future informal consultation meetings should be organized in order to facilitate the implementation of its mandate. The holding of those meetings would depend on the availability of extrabudgetary resources and would meet the following conditions: (a) the informal consultations would be conducted strictly in accordance with the decisions of the General Assembly; (b) provision would be made for interpretation in all official languages of the United Nations; (c) the documentation and agenda for the informal consultations would be made available well in advance of the meetings, and sufficient advance notice of the time and place of the meetings would be provided; (d) the informal consultations would be an open-ended and transparent mechanism to assist the Ad Hoc Committee, which would remain the only decision-making body, by making recommendations; (e) the informal consultations would be held only as parallel in-session meetings and their subjects would not overlap those being considered by the Ad Hoc Committee in plenary; (f) no more than two meetings, including the plenary, would be held at the same time during the sessions of the Ad Hoc Committee; (g) the informal consultations could be assigned, *inter alia*, to translate into appropriate language the agreements reached in plenary or any other function determined by the Chairman of the Ad Hoc Committee. The Ad Hoc Committee requested its bureau, in consultation with the Secretariat, to explore the modalities of the organization of the informal consultations, to decide on the holding of such informal consultations at the fifth session of the Ad Hoc Committee, bearing in mind suggestions made by States at the fourth session, and to inform the members of the Ad Hoc Committee accordingly.

Pursuant to the above-mentioned request, the bureau of the Ad Hoc Committee held two meetings, on 19 July and 7 September 1999, to discuss the organization of the informal consultations. At its meeting on 7 September, the bureau, on the basis of proposals submitted to it by the Secretary of the Ad Hoc Committee, decided that the informal consultations at the fifth session would be devoted to issues related to the draft texts of the additional international legal instrument against illegal trafficking in and transporting of migrants, including by sea, and the additional international legal instrument against trafficking in persons, particularly women and children. The resources available to the Ad

Hoc Committee at its fifth session will permit the holding of eight parallel meetings of informal consultations with simultaneous interpretation in the six official languages of the United Nations during the first week of the fifth session. Consequently, the bureau decided that the available meetings would be divided equally between the consideration of the above-mentioned draft international legal instruments. More specifically, informal consultations would be held in parallel with the meetings of the plenary of the Ad Hoc Committee from the afternoon of Monday, 4 October 1999, to the morning of Friday, 8 October 1999. The proposed organization of work contained in the annex to the present document provides more details on the informal consultations.

3. Consideration of the draft United Nations Convention against Transnational Organized Crime, with particular emphasis on articles 4, 4 *bis*, 7, 7 *bis*, 7 *ter*, 10, 14 (paragraphs 14-22) and 15-19

At its first session, the Ad Hoc Committee concluded a first reading of articles 1-23 of the draft Convention (as contained in document A/AC.254/4). At its second session, the Ad Hoc Committee began a second reading of the draft Convention by considering articles 1-3, dealing with the objectives, the scope of application and definitions. The Ad Hoc Committee also completed a first reading of articles 24-30 of the draft Convention. At its third session, the Ad Hoc Committee carried out a first reading of articles 4, 4 *bis*, 7 and 8 of the draft Convention.

At its fourth session, the Ad Hoc Committee concluded a second reading of articles 4 *ter*, 5, 6, 9 and 14 (paragraphs 1-13). Also at its fourth session, the Ad Hoc Committee decided that at its fifth session it would proceed with a second reading of articles 4, 4 *bis*, 7, 7 *bis*, 7 *ter*, 10, 14 (paragraphs 14-22) and 15-19. That decision was made on the understanding that, should the Ad Hoc Committee complete the consideration of those articles with time remaining at its fifth session, it would proceed to the negotiation of as many other articles of the draft Convention as possible. In view of that decision and in the event of early conclusion of the negotiation of articles 4, 4 *bis*, 7, 7 *bis*, 7 *ter*, 10, 14 (paragraphs 14-22) and 15-19 of the draft Convention, the Ad Hoc Committee may wish to proceed with the negotiation of article 20 and subsequent articles.

At its meeting on 7 September 1999, the bureau of the Ad Hoc Committee decided that the Ad Hoc Committee would begin its work at the fifth session with the second reading of articles 14 (paragraphs 14-22) and 10, and then proceed with the second reading of articles 4, 4 *bis*, 7, 7 *bis*, 7 *ter* and 15-19.

Documentation

Revised draft United Nations Convention against Transnational Organized Crime (A/AC.254/4/Rev.4)

Proposals and contributions received from Governments (A/AC.254/5/Add.9)

4. Consideration of the additional international legal instrument against illicit manufacturing of and trafficking in firearms, their parts and components and ammunition

The General Assembly, in its resolution 53/111 of 9 December 1998, decided to establish an ad hoc committee for the purpose of, *inter alia*, discussing the elaboration, as appropriate, of international instruments addressing trafficking in women and children, combating the illicit manufacturing of and trafficking in firearms, their parts and

components and ammunition, and illegal trafficking in and transporting of migrants, including by sea. In the same resolution, the Assembly requested the Ad Hoc Committee, in carrying out that work, to take into account, *inter alia*, Economic and Social Council resolutions 1998/18, 1998/19 and 1998/20 of 28 July 1998.

The General Assembly, in its resolution 53/114 of 9 December 1998, called upon the Ad Hoc Committee to devote attention to the drafting of the main text of the convention against transnational organized crime, as well as, as appropriate, of international instruments addressing trafficking in women and children, combating the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, and illegal trafficking in and transporting of migrants, including by sea.

At its first session, the Ad Hoc Committee carried out a first reading of the draft international legal instrument against illicit manufacturing of and trafficking in firearms, their parts and components and ammunition. At its third session, the Ad Hoc Committee carried out a second reading of that draft international legal instrument. The proposals and comments by Governments have been incorporated in a revised version of that instrument (A/AC.254/4/Add.2/Rev.2), which will form the basis for the consideration of the matter by the Ad Hoc Committee at its fifth session.

Documentation

Revised draft Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition and Other Related Materials, Supplementary to the United Nations Convention against Transnational Organized Crime (A/AC.254/4/Add.2/Rev.2)

Proposals and contributions received from Governments (A/AC.254/5/Add.10)

Background documents

Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials (A/AC.254/CRP.1)

Report on the international seminar on illicit manufacturing of and trafficking in firearms, held in Tokyo from 9 to 10 June 1999 (A/AC.254/CRP.20)

5. Adoption of the report of the Ad Hoc Committee on its fifth session

The Ad Hoc Committee is to adopt a report on its fifth session, the draft of which will be prepared by the Rapporteur.

Annex

Proposed organization of work of the fifth session of the Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime, to be held in Vienna from 4 to 15 October 1999

Plenary

Date	*Time*	*Agenda item*	*Title or description*
Monday, 4 October	10 a.m.-1 p.m.	1	Opening of the fifth session of the Ad Hoc Committee
		2	Adoption of the agenda and organization of work
		3	Consideration of the draft United Nations Convention against Transnational Organized Crime, with particular emphasis on articles 4, 4 *bis*, 7, 7 *bis*, 7 *ter*, 10, 14 (paragraphs 14-22) and 15-19
	3-6 p.m.	3	Continuation of the discussion
Tuesday, 5 October-Tuesday, 12 October	10 a.m.-1 p.m. and 3-6 p.m.	3	Continuation and conclusion of the discussion
Wednesday, 13 October	10 a.m.-1 p.m. and 3-6 p.m.	4	Consideration of the additional international legal instrument against illicit manufacturing of and trafficking in firearms, their parts and components and ammunition
Thursday, 14 October	10 a.m.-1 p.m. and 3-6 p.m.	4	Continuation of the discussion
Friday, 15 October	10 a.m.-1 p.m.	4	Continuation of the discussion
	3-6 p.m.	4	Continuation and conclusion of the discussion
		5	Consideration and adoption of the report of the Ad Hoc Committee on its fifth session

Informal consultations

Date	*Time*	*Description*
Monday, 4 October	3-6 p.m.	Informal consultations on the draft text of the additional international legal instrument against illegal trafficking in and transporting of migrants, including by sea
Tuesday, 5 October	10 a.m.-1 p.m. and 3-6 p.m.	Continuation of the informal consultations on the draft international legal instrument against illegal trafficking in and transporting of migrants, including by sea
Wednesday, 6 October	10 a.m.-1 p.m.	Continuation and conclusion of the informal consultations on the draft international legal instrument against illegal trafficking in and transporting of migrants, including by sea
	3-6 p.m.	Informal consultations on the draft text of the additional international legal instrument against trafficking in persons, in particular women and children
Thursday, 7 October	10 a.m.-1 p.m. and 3-6 p.m.	Continuation of the informal consultations on the draft international legal instrument against trafficking in persons, in particular women and children
Friday, 8 October	10 a.m.-1 p.m.	Continuation and conclusion of the informal consultations on the draft international legal instrument against trafficking in persons, in particular women and children